

Appl. No. 10/780,053
Examiner: KLIMOWICZ, WILLIAM, Art Unit 2627
In response to the Office Action dated May 2, 2006

Date: July 31, 2006
Attorney Docket No. 10113771

REMARKS

Responsive to the Office Action mailed on May 2, 2006 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Wu (US 6,125,097).

In this paper, claims 1, 3, 4 and 5 are amended. New claims 8-17 are added. Support for the amendments and new claims can be found on pages 5-7 and in Figs. 2-3 of the application. Thus, on entry of this amendment, claims 1-17 are pending in the application.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

Rejections Under 35 U.S.C. 102(b)

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Wu. To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

To anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

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"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

As amended, claim 1 recites an optical disc drive, comprising:

- a main body;
- a motor disposed on the main body, ***wherein the combined structure of the main body and the motor has a first center of gravity,***
- a vibration absorber, disposed on the main body; and
- a balance plate disposed on the vibration absorber such that ***the combined structure of the vibration absorber and balance plate has a second center of gravity, wherein the second center of gravity is closer to the first center of gravity than the center of gravity of the vibration absorber taken alone.***

Thus, in claim 1, the center of gravity of the combined structure of the motor and main body is brought relatively closer to the center of gravity of the combined structure of the vibration absorber and the balance plate. Namely, the center of gravity of the combined structure of the vibration absorber and balance plate is closer to the center of gravity of the combined structure of the main body and the motor than the center of gravity of the vibration absorber taken alone. This is illustrated in Figs. 2 and 3 of the application, which show *m* is shifted away from the center in the direction *M* at a lateral side of the structure by the positioning of the balance plate on the vibration absorber on a lateral side thereof corresponding to the placement of the motor.

In the rejections, the Examiner identifies base frame 10 of Wu as the alleged vibration absorber of the claims, and counterweight plate 50 as the alleged balance plate of the claims. However, contrary to the invention of claim 1, Wu teaches that a motor 21 is disposed on a first lateral side of the optic reader device 20, and a primary counterweight plate 50 is disposed on a second lateral side thereof opposite to the first lateral side. In column 4, lines 11-19, Wu further discloses:

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Furthermore, addition of the counterweight plate 50 allows the center of weight of the optic reader device to be allocated at a position more close to the geometrical center of the cavity 25 of the optic reader device 20 in which the reader head 22 is movable. This provides a more weight-balanced condition when the reader head 22 is moving in the cavity 25 and the vibration of the reader head 22 caused by imbalance distribution of weight may be alleviated and mis-reading of data is reduced.

Thus, counterweight plate 50 is positioned to **counterbalance** the motor 21 such that the center of gravity of the entire apparatus is shifted to the geometric center thereof. With further reference to Figs. 2-3 of Wu, it follows that in order to achieve this counterbalancing effect, the center of gravity of the base frame 10 taken alone must be closer to the center of gravity of the combined structure of the optic reader device 20 and motor 21 than the center of gravity of the combined structure of the base frame 10 and the counterweight plate 50.

In other words, the addition of the counterweight plate 50 to base frame 10 in Wu has the effect of shifting the center of gravity of the combined structure of the base frame 10 and counterweight plate 50 away from the center in a direction **opposite** to the motor 21. To the contrary, the addition of the balance plate on the vibration absorber as recited in claim 1 has the effect of shifting the center of gravity of the combined structure of the vibration absorber and the balance plate in a direction **towards** the motor.

For at least the reasons described above, it is Applicant's belief that Wu fails to teach or suggest all of the limitations of claims 1. Applicant therefore respectfully requests that the rejection of claim 1 be withdrawn and the claim passed to issue. Insofar as claims 2-16 depend from claim 1 either directly or indirectly, and therefore incorporate all of the limitations of claim 1, it is Applicant's belief that these claims are also in condition for allowance.

Finally, it is noted that the dependent claims also include additional limitations which are not shown or suggested by the prior art. For example, Wu fails to teach the recited variations in screw tightness or coefficients of elasticity set forth in claims 4-5 as amended and in new claims 11-14. In addition, Wu fails to teach the balance plate is disposed on a first lateral side of the vibration

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absorber corresponding to the first lateral side of the main body on which the motor is disposed, as recited in new claim 9. Wu further fails to teach that the first center of gravity and second center of gravity are sufficiently close such that the extra weight due to the balance plates extends the range of frequency absorption between 150-200Hz, as recited in new claim 15. In addition, Wu fails to teach or suggest the second center of gravity is closer to the first lateral side of the main body than the first center of gravity, as recited in claim 16 and illustrated in Fig. 3.

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

Respectfully submitted,



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